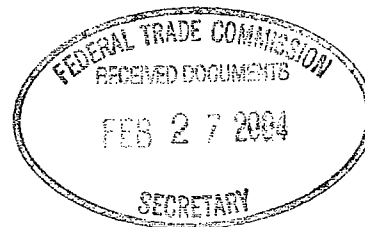




CALIFORNIA ASSOCIATION OF REALTORS®

February 24, 2004

Federal Trade Commission
Office of the Secretary
Room 159-H (Annex D)
600 Pennsylvania Avenue, NW
Washington, D.C. 20580



2004 OFFICERS

ANN PETTIJOHN
President

JIM HAMILTON
President-Elect

COLLEEN BADAGLIACCO
Treasurer

JOEL SINGER
*Executive Vice President/
State Secretary*

Re: Project No. R411001 – Monthly Registry Access

Dear Mr. Secretary:

On behalf of the 140,000 members of the California Association of REALTORS® (C.A.R.), I submit the following comments on the proposed rule regarding the Telemarketing Sales Rule. C.A.R.'s members are engaged in the business of real estate brokerage, sales, management and financing. Responsible for the majority of real estate sales transactions that take place in California, our members are uniquely situated to be able to comment on the impacts that the proposed rule will have on the real estate industry.

The proposed rule will require REALTORS® conducting interstate calls to check the Do Not Call Registry twelve times a year, which is a 300% increase from the previous requirement. Given this greatly increased frequency, significant increases in accessing and labor costs for compliance will result. These additional costs will be most acutely felt by smaller offices, which have the most limited resources. 85% of the C.A.R. membership work in offices with 5 or fewer agents per office. Thus, this will be particularly burdensome to the REALTOR® community. As such, we are requesting that the new rules not go into effect for a minimum of one year from the time of publication in the Federal Register, in order to allow sufficient time for all REALTORS® (and particularly small offices) to gain the necessary resources for proper compliance.

I thank you for your willingness to consider the comments of the Association. If you have any questions, please contact Janet M. Gagnon, Esq., C.A.R.'s Director of Public Policy, by phone 213-739-8272, fax 213-739-7272 or e-mail janetg@car.org.

Sincerely,

Ann Pettijohn
2004 President
California Association of REALTORS®

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REALTOR® is a registered mark which identifies a professional in real estate who subscribes to a strict Code of Ethics as a member of the NATIONAL ASSOCIATION OF REALTORS®

